

House Study Bill 112 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON HOLT)

A BILL FOR

1 An Act relating to child endangerment committed by a sex
2 offender, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 726.6, Code 2021, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 1A. A person having control over a child
4 or a minor who has been convicted of a sex offense against
5 a minor, or who knowingly has unsupervised access to a child
6 or a minor after the person is required to register as a sex
7 offender for a sex offense against a minor under chapter 692A,
8 commits child endangerment. However, this subsection does not
9 apply to a person who is required to register as a sex offender
10 who is married to and living with a person who has a child or
11 who is the guardian of a child or a minor.

12 Sec. 2. Section 726.6, subsection 3, unnumbered paragraph
13 1, Code 2021, is amended to read as follows:

14 For the purposes of ~~subsection~~ subsections 1 and 1A,
15 *"person having control over a child or a minor"* means any of the
16 following:

17 Sec. 3. Section 726.6, subsection 6, Code 2021, is amended
18 to read as follows:

19 6. A person who commits child endangerment resulting in
20 bodily injury to a child or minor or child endangerment in
21 violation of subsection 1, paragraph "g", that does not result
22 in a serious injury, or a person who commits child endangerment
23 in violation of subsection 1A, is guilty of a class "D" felony.

24 EXPLANATION

25 The inclusion of this explanation does not constitute agreement with
26 the explanation's substance by the members of the general assembly.

27 This bill relates to child endangerment committed by a sex
28 offender.

29 The bill provides that a person having control over a child
30 or a minor who has been convicted of a sex offense against
31 a minor, or who knowingly has unsupervised access to a child
32 or a minor after the person is required to register as a sex
33 offender for a sex offense against a minor under Code chapter
34 692A, commits child endangerment. However, this subsection
35 does not apply to a person who is required to register as a

1 sex offender who is married to and living with a person who
2 has a child or who is the guardian of a child or a minor.
3 "Person having control over a child or a minor" means any
4 of the following: a person who has accepted, undertaken, or
5 assumed supervision of a child or such a minor from the parent
6 or guardian of the child or minor; a person who has undertaken
7 or assumed temporary supervision of a child or such a minor
8 without explicit consent from the parent or guardian of the
9 child or minor; or a person who operates a motor vehicle with a
10 child or such a minor present in the vehicle.

11 The bill provides that a person who commits child
12 endangerment in violation of the bill is guilty of a class "D"
13 felony. A class "D" felony is punishable by confinement for no
14 more than five years and a fine of at least \$1,025 but not more
15 than \$10,245.